

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

SENATE ENROLLED ACT No. 160

AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 10-8-3-3, AS ADDED BY P.L.143-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) Before a person may transport high level radioactive waste in Indiana, the person who is responsible for the shipment must submit the following to the director:

(1) A notice that includes:

(A) the highway or railway route, date, and time of the shipment of high level radioactive waste; and

(B) other information required under 10 CFR 71.5(a) and 10 CFR 73.37(f).

(2) A transportation fee of one thousand dollars (\$1,000) for each ~~total shipment~~ **cask** of nuclear waste **in the shipment**.

(b) The director shall deposit fees collected under this section in the nuclear response fund established by section 6 of this chapter.

SECTION 2. IC 10-14-8-3, AS ADDED BY SEA 257-2003, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) Before a person may transport high level radioactive waste in Indiana, the person who is responsible for the shipment must submit the following to the director:

(1) A notice that includes:

(A) the highway or railway route, date, and time of the shipment of high level radioactive waste; and

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(B) other information required under 10 CFR 71.5(a) and 10 CFR 73.37(f).

(2) A transportation fee of one thousand dollars (\$1,000) for each **total shipment cask** of nuclear waste **in the shipment**.

(b) The director shall deposit fees collected under this section in the nuclear response fund established by section 6 of this chapter.

SECTION 3. IC 10-14-8-3.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 3.1. (a) Before a person may transport low level radioactive waste (as defined in IC 13-11-2-121(a)) in Indiana, the person who is responsible for the shipment must submit a transportation fee of one hundred dollars (\$100) for each total shipment of low level radioactive waste to the director.**

(b) The director shall deposit fees collected under this section in the nuclear response fund established by section 6 of this chapter.

SECTION 4. IC 10-14-8-6, AS ADDED BY SEA 257-2003, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 6. (a) The nuclear response fund is established to provide appropriate education, training, and equipment to local emergency responders:**

(1) in counties that will be affected by the transportation of high level radioactive waste under this chapter; and

(2) to:

(A) prevent;

(B) prepare for; and

(C) respond to;

acts of terrorism.

(b) Sources of money for the fund consist of transportation fees deposited under section 3(b) of this chapter.

(c) The state emergency management agency shall administer the fund. Money in the fund is annually appropriated to the state emergency response commission to be used for purposes described in subsection (a).

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(f) Money in the fund at the end of a fiscal year does not revert to the state general fund.

SECTION 5. IC 10-14-8-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

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1, 2003]: **Sec. 9. A person that transports:**

(1) low level radioactive waste (as defined in IC 13-11-2-121(a)); or

(2) high level radioactive waste;

in Indiana shall reimburse each governmental entity that provides security for a shipment for reasonable and necessary expenses incurred by the governmental entity in providing the security.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Approved: _____

Governor of the State of Indiana

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